

**REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-12 are pending in this application. The Office Action rejected the claims as follows: Claims 1-5 and 7-11 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,125,080 (Sonnenschein et al.); and Claims 6 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sonnenschein et al. in view of U.S. Patent No. 6,289,207 (Hudecek et al.).

Claims 1 and 7 have been amended. No new matter is introduced by these amendments.

Claims 1 and 7 are the only pending independent claims in this application. The Office Action cited Sonnenschein et al. as allegedly disclosing each of the limitations of Claims 1 and 7. Sonnenschein et al. merely discloses a personal underwater communication apparatus and method that addresses issues associated with the significant attenuation of electromagnetic waves in water.

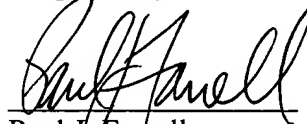
Sonnenschein et al. fails to disclose or suggest providing a user of a mobile telecommunication device with an apparatus that can transfer between communication modes, i.e. to an SOS service mode, *when the user requests emergency assistance and when the MTT cannot communicate via the base station*, as in amended Claim 1. Claim 7 has been amended to similarly include the recitation of *transferring to the SOS service mode when a user requests emergency assistance and when the mobile telecommunication terminal cannot communicate via the base station*.

None of the other cited references, either alone or in combination, cure this defect of  
Sonnenschein et al.

Accordingly, it is believed that Claims 1 and 7, as amended, are in condition for  
allowance. Without conceding the patentability *per se* of the dependent claims, Claims 2-6  
and 8-12 are believed to be in condition for allowance for at least the above reasons.

In view of the preceding amendments and remarks, it is respectfully submitted that the  
pending claims, i.e. Claims 1-12, are in condition for allowance. If the Examiner has any  
questions regarding this communication, the Examiner is requested to contact the undersigned.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

**DILWORTH & BARRESE, LLP**  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
(516) 228-8484